UNPUBLISHED

UNITED STATES COURT OF APPEALS
FOR THE FOURTH CIRCUIT

No. 97-6750

UNITED STATES OF AMERICA,

Plaintiff-Appellee,

versus

MICHAEL K. MOORE,

Defendant-Appellant.

Appeal from the United States District Court for the District of Maryland, at Baltimore. Frederic N. Smalkin, District Judge. (CR-92-301-S, CA-97-1351-S)

Submitted: August 28, 1997

Decided: September 17, 1997

Before WILKINS, WILLIAMS, and MICHAEL, Circuit Judges.

Dismissed by unpublished per curiam opinion

Keith Eric Golden, GOLDEN, MEIZLISH & ELWOOD CO., L.P.A., Columbus, Ohio, for Appellant. Brent Jefferson Gurney, Assistant United States Attorney, Greenbelt, Maryland, for Appellee.

Unpublished opinions are not binding precedent in this circuit. See Local Rule 36(c).

PER CURIAM:

Appellant seeks to appeal the district court's order denying his motion filed under 28 U.S.C.A. s. 2255 (West 1994 & Supp. 1997). We have reviewed the record and the district court's opinion and find no reversible error. Accordingly, we deny a certificate of appealability and dismiss the appeal on the reasoning of the district court. United States v. Moore, Nos. CR-92-301-S; CA-97-1351-S (D. Md. Apr. 28, 1997). We dispense with oral argument because the facts and legal contentions are adequately presented in the materials before the court and argument would not aid the decisional process.

DISMISSED